

COLLEGE STUDENT AID COMMISSION[283]

Adopted and Filed

Rule making related to waivers and postponement provisions

The College Student Aid Commission hereby amends Chapter 25, “Rural Iowa Advanced Registered Nurse Practitioner and Physician Assistant Loan Repayment Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 261.3.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 261 and 2018 Iowa Acts, Senate File 2415, sections 16 and 17.

Purpose and Summary

These amendments reflect changes to Iowa Code section 261.114 that were enacted by 2018 Iowa Acts, Senate File 2415, sections 16 and 17. Section 16 repeals a provision related to a full-time practice waiver, and section 17 repeals provisions related to postponement of the service obligation.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on August 15, 2018, as **ARC 3941C**. No public comments were received. One change from the Notice has been made. The words “as amended by” have been stricken from the implementation sentence of Chapter 25 and a reference to 2018 Iowa Acts, Senate File 2415, has been removed since the amendments in the Senate File have been codified in the 2019 Iowa Code.

Adoption of Rule Making

This rule making was adopted by the Commission on November 16, 2018.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any, pursuant to 283—Chapter 7.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on January 23, 2019.

The following rule-making actions are adopted:

ITEM 1. Amend rule 283—25.5(261) as follows:

283—25.5(261) Waivers.

25.5(1) *Service commitment area.* The commission may waive the requirement that the advanced registered nurse practitioner or physician assistant practice in the same service commitment area for five years. The advanced registered nurse practitioner or physician assistant must request a waiver from the commission in writing.

~~**25.5(2) *Full-time employment.***~~ The commission may waive the requirement that the advanced registered nurse practitioner or physician assistant be employed full-time if the advanced registered nurse practitioner or physician assistant demonstrates exceptional circumstances. The advanced registered nurse practitioner or physician assistant must request a waiver from the commission in writing. If a waiver request is granted by the commission, the agreement will be amended to provide an allowance for part-time employment. The five-year employment obligation will be proportionally extended to ensure the advanced registered nurse practitioner or physician assistant is employed in a service commitment area for the equivalent of five full-time years.

~~**25.5(3) *Postponement of advanced registered nurse practitioner or physician assistant employment.***~~ The advanced registered nurse practitioner or physician assistant obligation to engage in practice in accordance with 25.3(4) may be postponed for no more than two years from the time full-time practice was to commence. The advanced registered nurse practitioner or physician assistant must request a waiver from the commission in writing for one of the following purposes:

- ~~a. Active duty service in the armed forces, the armed forces military reserve, or the national guard.~~
- ~~b. Service in Volunteers in Service to America or the federal Peace Corps.~~
- ~~c. A service commitment to the United States Public Health Service Commissioned Corps.~~
- ~~d. A period of religious missionary work conducted by an organization exempt from federal income taxation pursuant to Section 501(c)(3) of the Internal Revenue Code.~~

~~The advanced registered nurse practitioner or physician assistant obligation to engage in practice in accordance with 25.3(4) may be postponed for a period exceeding two years for any period of temporary medical incapacity, including leave approved under the Family and Medical Leave Act, during which the advanced registered nurse practitioner or physician assistant is unable to engage in full-time practice. The advanced registered nurse practitioner or physician assistant must request a waiver from the commission in writing.~~

~~**25.5(4) 25.5(2) *Satisfaction of advanced registered nurse practitioner or physician assistant employment.***~~ All obligations under the rural Iowa advanced registered nurse practitioner and physician assistant loan repayment program are considered to be satisfied when any of the following conditions are met:

- ~~a. to d. No change.~~

ITEM 2. Amend **283—Chapter 25**, implementation sentence, as follows:

These rules are intended to implement Iowa Code section 261.114 as amended by 2014 Iowa Acts, Senate File 2347.

[Filed 11/20/18, effective 1/23/19]

[Published 12/19/18]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 12/19/18.